

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

DEBORAH WILSON,	)	
	)	
Plaintiff(s),	)	No. C07-3431 BZ
	)	
v.	)	Related Case: C07-5642 BZ
	)	
COMPASS VISION INC., et al.,	)	<b>REVISED ORDER SCHEDULING</b>
	)	<b>JURY TRIAL AND PRETRIAL</b>
	)	<b>MATTERS</b>
Defendant(s).	)	
_____	)	

Following a status conference held on Monday, January 12, 2009, at which all parties were represented by counsel, and at the request of all parties **IT IS HEREBY ORDERED** that the previous Order Scheduling Jury Trial And Pretrial Matters is modified as follows:

1. TENTATIVE DATES

Trial Date: **Monday, 11/9/2009, 20 days**

Pretrial Conference: **Tuesday, 10/20/2009, 3:00 p.m.**

Last Day to Hear Dispositive Motions: **Wednesday, 9/23/2009**

Last Day for Expert Discovery: **Friday, 8/14/2009**

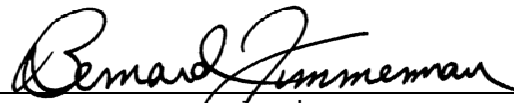
Last Day for Rebuttal Expert Disclosure: **Friday, 8/7/2009**

Last Day for Expert Disclosure: **Friday, 7/31/2009**

1 Close of Non-expert Discovery: **Friday, 7/24/2009**

2 A status conference is set for **Monday, March 2, 2009 at**  
3 **4:00 p.m.** to discuss which plaintiff's case will be tried  
4 first. Anyone wishing to appear by telephone shall contact  
5 **CourtCall**, telephonic court appearances at **1-888-882-6878**, and  
6 make arrangements for the telephonic conference call. The  
7 status conference currently set for **February 2, 2009** is  
8 **VACATED.**

9 Dated: January 13, 2009

10 

11 Bernard Zimmerman  
12 United States Magistrate Judge

13 G:\BZALL\BZCASES\WILSON\FINAL REVISED TRIAL SCHEDULING ORDER.wpd  
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**ATTACHMENT 1**

The parties shall file a joint pretrial conference statement containing the following information:

**(1) The Action.**

(A) Substance of the Action. A brief description of the substance of claims and defenses which remain to be decided.

(B) Relief Prayed. A detailed statement of each party's position on the relief claimed, particularly itemizing all elements of damages claimed as well as witnesses, documents or other evidentiary material to be presented concerning the amount of those damages.

**(2) The Factual Basis of the Action.**

(A) Undisputed Facts. A plain and concise statement of all relevant facts not reasonably disputable, as well as which facts parties will stipulate for incorporation into the trial record without the necessity of supporting testimony or exhibits.

(B) Disputed Factual Issues. A plain and concise statement of all disputed factual issues which remain to be decided.

(C) Agreed Statement. A statement assessing whether all or part of the action may be presented upon an agreed statement of facts.

(D) Stipulations. A statement of stipulations requested or proposed for pretrial or trial purposes.

**(3) Trial Preparation.**

A brief description of the efforts the parties have

1 made to resolve disputes over anticipated testimony,  
2 exhibits and witnesses.

3 (A) Witnesses to be Called. In  
4 lieu of FRCP 26(a)(3)(A), a  
5 list of all witnesses likely  
6 to be called at trial, other  
7 than solely for impeachment or  
8 rebuttal, together with a  
9 brief statement following each  
10 name describing the substance  
11 of the testimony to be given.

12 (B) Estimate of Trial Time. An  
13 estimate of the number of  
14 court days needed for the  
15 presentation of each party's  
16 case, indicating possible  
17 reductions in time through  
18 proposed stipulations, agreed  
19 statements of facts, or  
20 expedited means of presenting  
21 testimony and exhibits.

22 (C) Use of Discovery Responses. In  
23 lieu of FRCP 26(a)(3)(B), cite  
24 possible presentation at trial  
25 of evidence, other than solely  
26 for impeachment or rebuttal,  
27 through use of excerpts from  
28 depositions, from  
interrogatory answers, or from  
responses to requests for  
admission. Counsel shall  
state any objections to use of  
these materials and that  
counsel has conferred  
respecting such objections.

(D) Further Discovery or Motions.  
A statement of all remaining  
motions, including Daubert  
motions.

23 **(4) Trial Alternatives and Options.**

24 (A) Settlement Discussion. A  
25 statement summarizing the  
26 status of settlement  
27 negotiations and indicating  
28 whether further negotiations  
are likely to be productive.

(B) Amendments, Dismissals. A  
statement of requested or

1 proposed amendments to  
2 pleadings or dismissals of  
parties, claims or defenses.

3 (C) Bifurcation, Separate Trial of  
4 Issues. A statement of whether  
bifurcation or a separate  
5 trial of specific issues is  
feasible and desired.

6 (5) **Miscellaneous.**

7 Any other subjects relevant to the trial of the action,  
8 or material to its just, speedy and inexpensive  
determination.

**ATTACHMENT 2**

**USDC**  
Case No. CV07-03431 BZ  
**JOINT** Exhibit No. \_\_\_\_\_

Date Entered \_\_\_\_\_

Signature \_\_\_\_\_

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**USDC**  
Case No. CV07-03431 BZ  
**JOINT** Exhibit No. \_\_\_\_\_

Date Entered \_\_\_\_\_

Signature \_\_\_\_\_

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**USDC**  
Case No. CV07-03431 BZ  
**PLNTF** Exhibit No. \_\_\_\_\_

Date Entered \_\_\_\_\_

Signature \_\_\_\_\_

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**USDC**  
Case No. CV07-03431 BZ  
**PLNTF** Exhibit No. \_\_\_\_\_

Date Entered \_\_\_\_\_

Signature \_\_\_\_\_

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**USDC**  
Case No. CV07-03431 BZ  
**DEFT** Exhibit No. \_\_\_\_\_

Date Entered \_\_\_\_\_

Signature \_\_\_\_\_

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**USDC**  
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**PLNTF** Exhibit No. \_\_\_\_\_

Date Entered \_\_\_\_\_

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